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Written Testimony on Behalf of the Crow Tribe of Indians

February 15, 2011

Montana State Legislature

Joint Appropriations Subcommittee on Health and Human Services

Cedric Black Eagle, Chairman

Scott Russell, Secretary

Executive Branch of the Crow Tribe of Indians

Good Morning.

Thank you for hearing our testimony on the budget for the Montana Department of Health and Human Services. It is an honor to be able to participate in discussions at any stage of the proceedings.

The Governor's office submitted a balanced budget at the beginning of the session that provided for adequate, but not excessive, levels of service. Here at the Legislature, cuts have been made that take millions of dollars from health care and other vital programs.

We support the Governor's original budget in these areas. The proposed cuts are short-sighted because, for example, children who do not receive good medical care are subject to more illnesses that eventually society must address, whether it be in emergency room costs, increased crime and other problems that follow ill health, substance abuse problems that develop from self-medication, or numerous other consequences. It is not fiscally responsible to cut programs indiscriminately and where doing so will actually increase overall costs.

Children cannot secure their own medical care. When their families are unable to provide it, the children who suffer do more poorly in school and

are less equipped to be part of the workforce. Our common future depends on nurturing all of our children so that they grow up to be healthy adults who can best contribute to society. Unhealthy workers are less efficient and more costly to employers, whether or not employers themselves provide health care.

Cuts to health insurance – Medicaid and Montana Healthy Kids – will affect the most vulnerable in our society and will disproportionately affect citizens of Montana's Indian tribes, who already suffer from extraordinarily high poverty rates, unemployment, lack of housing, transportation, and other basic services. High concentrations of families below the poverty level compound the social needs in our communities, and every cut exacerbates our need multiple times.

We urge you to restore these amounts to the Governor's budgeted levels. The state can afford these programs; in fact, we cannot really afford to cut them because of the increased costs of future suffering. In cutting these programs, you are also losing federal funds that in many cases are larger than the state contributions. These federal funds can help our state and local dollars stretch farther for other genuine needs. Investments in human infrastructure increase our potential for future success.

In general, we also ask you to become more informed about Indian issues and the complicated multijurisdictional law of Indian country, as many of the operational assumptions of this legislative session are flawed because they fail to consider the legal relationship of tribal, state, and federal governments and rely on simplistic or already disproven strategies.

You may not have considered that tribal governments and tribal citizens have a preconstitutional, treaty-based, government-to-government relationship with the federal government. As a matter of current policy, many funds that should be coming to tribes to address such areas as education and health are first passed through state budgets. The loss of administrative funds will further deter general state operations.

Even if the state decides that it does not want federal funds, the state may not make this decision for tribal governments. If Montana goes in this direction by attempting to nullify federal laws and refuse federal funds, tribal governments in Montana must demand that those funds are paid directly to the tribes for distribution. This process will weaken relationships that we have worked decades to build, but it is important to remember that the state does not have the authority to eliminate Indian reservations, take Indian lands, or turn down federal funds that benefit Indian citizens and tribes.

Cuts in health care funds will also affect the health care industry in the state, causing additional loss of health care personnel and making services harder to obtain even for those who can afford them. At Crow, we have been working to build the partnership between the Indian Health Services and

private and public insurers—not only does IHS funding not go far enough, but just as at the state level federal budgets are under attack without being fully understood. We owe it to one another to review budgets and proposals very thoroughly before making decisions that could affect us all dramatically. We know that the Governor's staff in compiling the original budget did analyze these programs very thoroughly, and since there is no real need to cut the programs, we urge the budgets be returned to their original levels.

The Indian Health Service (IHS) is also one of the biggest employers at Crow and in Big Horn County, and reminds us that cuts in financing and funding have many unintended consequences. Federal IHS funding goes further with the availability of other billing sources. We have the opportunity to protect and expand available services, providing good health care and all that it brings with it while providing additional jobs and opportunities. Health workers and other beneficiaries of monies spent in Health and Human Services spend their earnings and available funds locally, providing more jobs and economic benefits in places like Hardin and Billings, or across the state in Great Falls.

You may not live in an area where there is great need, but perhaps you can still recall a time in your lives when you were in pain and could not get help. In any case, whatever our personal circumstances, our responsibility as leaders is not simply to cater to the well-to-do, but to provide for the health and general welfare of all of our citizens.

Many of us have had the experience of worrying about keeping our children healthy. We ask you to draw on your own experiences and concerns as you remember that ill health can strike anywhere, and that we all share an obligation to allow our children to grow up and lead good lives. Too many of us have had the experience of losing a child because treatment was unavailable. Fiscal responsibility is a good value, but it is not the only value for leaders to have—certainly preserving life is also a value that we share, and one that can be directly exercised by making sure everyone has access to adequate and affordable health care.

The same can be said for other programs under the DPHHS heading. Our hope is that in Executive Action you will find it in your hearts to return funding for all these programs to their original levels.

As Indian people, we know that for our civilizations to continue and prosper, we must take extra care to make sure that everyone in our community has basic needs met, and that our children and our elders are not simply tolerated, but actively treasured. We hope that this lesson will be in your minds even above the order to cut spending as you make your difficult decisions.

Thank you again for this hearing, and for your work on behalf of all Montanans.